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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,156	07/13/2006	Takayuki Konishi	40754	6888
53054 7590 12/10/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108				
EXAMINER				
LE, QUANG V				
ART UNIT		PAPER NUMBER		
2622				
NOTIFICATION DATE		DELIVERY MODE		
12/10/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/597,156

Applicant(s)

KONISHI ET AL.

Examiner

QUANG V. LE

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the application 10/597156 filed on 7/13/2006.
2. **Claims 1-6** have been examined and are pending.

Information Disclosure Statement

3. An initialed and dated copy of Applicant's IDS form 1449 is attached to the instant office action.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claim 4** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In claim 4, it is not clear to what claimed "center hold angle range", line 18 refers to.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kutman, US Patent No. 4,736,218.

As per claim 1, Kutman teaches a dome type camera comprising:

a dome cover (figure 1);

a lens provided inside said dome cover rotatably in a tilt direction (figure 4); and

a lens support structure **60** supporting said lens so that a center of rotation of said lens can be moved from a center of a dome to a position apart therefrom in a zenith direction (figure 5, col 5, lines 17-19, "The camera support means includes an inner post or pedestal 50 that extends into the enclosure"). *The support post moves the lens assembly upward thus moves the center of rotation of the lens away from the stationary dome center as cited in the claim.*

As per claim 2, Kutman teaches the dome type camera according to claim 1, Kutman further teaches the dome type camera comprising a lens moving mechanism for moving said lens in the zenith direction according to a rotation of said lens in the tilt direction (figure 5, col 5, lines 17-19, "The camera support means includes an inner post

or pedestal 50 that extends into the enclosure"). *It is obvious for the inner post to move/extend into the enclosure by a mechanism inside the shaft support 94.*

As per claim 6, this claim recites what was previously discussed in claim 1

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 3-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kutman as applied to claim 1 above, in view of Suganuma, US Patent Application Publication 2001/0018997.

As per claim 3, Kutman teaches the dome type camera according to claim 2, but Kutman fails to explicitly disclose wherein said lens moving mechanism comprises a cam for moving a rotation axis to a predetermined position according to a rotation of said lens.

However, Suganuma teaches a cam assembly 190 is used to move the rotation axis (figure 8 and figure 13 and paragraph 0176) of cam 282.

Therefore, to one of ordinary skill in the art, it would have been an obvious matter of design choice at the time of the invention was made to apply Suganuma cam assembly design to move the camera in the vertical direction in Kutma design since using cam assembly to move object in linear direction only involves routine skill in the art.

As per claim 4, Kutman and Suganuma teach the dome type camera according to claim 3, Kutman further teaches:

The rotation axis of said lens is held at the center of the dome in a predetermined center hold angle range corresponding to a direction of an elevation angle (figure 4). *From figure 4, it is obvious that the rotation axis is lined up with center of the dome.*

The rotation axis of said lens is moved from the center of the dome in the zenith direction at angles lower than said center hold angle range (figure 5). *From figure 5, it is obvious that shaft 54 can extend or retract, thus it can move the rotation axis in either directions from the center of the dome.*

As per claim 5, Kutman and Suganuma teach the dome type camera according to claim 3, but they do not explicitly disclose wherein said cam is a plate cam attached

to the rotation axis, and wherein a cam surface around a periphery of the plate cam is in contact with a fixed pressing section.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to move Saganuma cam to attach to the rotation axis, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Conclusion

8. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure:

- Jun; Byung-moon** (US 20060017842 A1) Camera enclosure and method
Kelsall; Jeffrey C. (US 4232361 A) Adjustable light fixture
Vinches; Rene et al. (US 4062267 A) Apparatus for conducting firing
Yoshikawa, Takashi et al. (US 20040093799 A1) Cam mechanism and door opening/closing mechanism
Nanko, Yoshiaki et al. (US 20030172771 A1) Drive mechanism for a bicycle transmission assist mechanism
Nomura, Hiroshi et al. (US 20030156832 A1) Retractable lens system and method of retracting a retractable lens system
Skiver, Timothy G. et al. (US 20030128131 A1) Rearview mirror assembly with added feature modular display

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang V. Le whose telephone number is (571) 270-5014. The examiner can normally be reached on Monday through Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Yen Ngoc Vu can be reached on (571)272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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